

# EXHIBIT C

**From:** [Koh, Jennifer L.](#)  
**To:** ["ICE-FOIA"](#)  
**Subject:** RE: FOIA request (Union Pacific Railroad Police) - 2018-ICFO-59705  
**Date:** Monday, September 24, 2018 11:13:09 AM

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Thank you for your response.

- We request that all Field Office Directors, Assistant Field Office Directors, and Supervisory Detention Officers, attorneys with the Office of Chief Counsel, and all officers assigned to “fugitive operations” teams be searched. We also request that all officers conducting investigations in the El Monte, CA area be searched.
- We are primarily seeking immigration-related records.
- As noted in the request, the records we are seeking include “contracts or agreements; memoranda of understanding; e-mails; instructions; directives; guidance documents; reports; legal and policy memoranda; formal and informal presentations; training documents; bulletins; alerts; updates; advisories; social-media posts; communications made through any website or web service, whether private or public (including, but not limited to, iMessage, WhatsApp, Signal, Gchat, Snapchat, or Twitter); text communications between phones or other electronic devices (including, but not limited to, communications sent via SMS or other text, or Blackberry Messenger); images, video, and audio recorded on cell phones; voicemail messages; and minutes or notes of meetings and phone calls.”
- With respect to “[r]ecords concerning the number of individuals who have been detained [or] arrested ....as a result of investigation, apprehension, arrest or detention by Union Pacific Railroad Police employees,” we are seeking records already maintained by ICE that reflect such numbers or, if not available, request that the numbers be compiled.
- With respect to individuals “otherwise subject to questioning by ICE agents as result of” activity by the Union Pacific Railroad Police, we are willing to narrow our request to exclude that portion of the original request.

I look forward to the agency’s response.

Yours truly,

Jennifer Lee Koh

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**From:** ICE-FOIA <ICE-FOIA@ice.dhs.gov>  
**Sent:** Tuesday, September 18, 2018 1:51 PM  
**To:** Koh, Jennifer L. <jkoh@wsulaw.edu>  
**Cc:** ICE-FOIA <ICE-FOIA@ice.dhs.gov>  
**Subject:** Re: FOIA request (Union Pacific Railroad Police) - 2018-ICFO-59705

Good afternoon Ms. Koh,

ICE FOIA is seeking clarification regarding “collaboration and communications with the Union Pacific Railroad Police”.

As written, the attached request is too broad, indicating that each employee and contractor at all ICE field offices and headquarters (HQ) offices would need to respond. Therefore, to conduct a thorough and adequate search for records, ICE needs to know specifically:

- Who/what individuals or positions in the offices (field and HQ) should conduct searches? It is unreasonable to have everyone in each of ICE's field offices and HQ offices conduct searches.
- Are you primarily seeking immigration-related records?
- Please be more specific as to the types of records you are seeking (e.g., "the number of individuals who have been detained, arrested by ICE agents."
- Please note that ICE does not tract statistics on persons "otherwise *subject by questioning* as a result of investigation, apprehension, arrest or detention by Union Pacific Railroad Police employee" and there is no way for ICE to provide such information regarding Union Pacific Railroad Police employee actions.

Sincerely,  
ICE-FOIA

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**From:** Koh, Jennifer L. <[jkoh@wsulaw.edu](mailto:jkoh@wsulaw.edu)>  
**Sent:** Friday, September 7, 2018 1:20 PM  
**To:** [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov)  
**Subject:** FOIA request (Union Pacific Railroad Police)

Dear Sir or Madam:

Attached please find a FOIA request from the Western State College of Law Immigration Clinic and others.

Best,

Jennifer Lee Koh  
Professor of Law and Director, Immigration Clinic  
Western State College of Law  
1 Banting, Irvine CA 92618  
T (714) 459-1136  
[jkoh@wsulaw.edu](mailto:jkoh@wsulaw.edu)  
Research: [https://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=1087911](https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1087911)  
Blog: <http://lawprofessors.typepad.com/immigration/>

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